



23 JUN 2006

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In re Application of  
SCHWAB et al.  
Application No.: 10/522,213  
PCT No.: PCT/FR03/02257  
Int. Filing Date: 17 July 2003  
Priority Date: 19 July 2002  
Attorney Docket No.: 19978.0016  
For: DEVICE AND METHOD FOR  
THERMOFORMING AN OBJECT HAVING A  
BACK DRAFT PORTION

## DECISION ON PETITION

UNDER 37 CFR 1.182

This is a decision on applicant's Request for Corrected Filing Receipt, filed in the United States Patent and Trademark Office (USPTO) on 27 March 2006. This is also in response to applicant's Petition to File Replacement Sheets, treated as a petition under 37 CFR 1.182, filed on 11 March 2005.

On 19 July 2003, applicants filed international application PCT/FR03/02257 which claimed a priority date of 19 July 2002. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the priority date, 19 January 2005.

On 14 January 2005, applicant filed a Transmittal Letter (Form PTO-1390) for entry into the national stage in the United States which identified the international application as **PCT/FR04/09333**.

On 11 March 2005, applicant submitted Petition to File Replacement Sheets along with a corrected Transmittal Letter, identifying **PCT/FR03/02257**.

On 22 February 2006, a Notification of Acceptance identifying international application **PCT/FR03/09333**, was mailed to applicants indicating that the 35 U.S.C. 371(c)(1)(c)(2) and (c)(4) date of 13 December 2005.

On 27 March 2006, applicants filed a Request for Corrected Filing Receipt, including a copy of the executed declaration, directed to PCT/FR03/02257.

### DISCUSSION

A review of the application file reveals that Transmittal Letter submitted by applicants identified the international application number as **PCT/FR04/09333**. Based on applicant's error, a national stage application file was created for PCT/FR04/09333, rather than for PCT/FR03/02257.

The transmittal letter submitted on 14 January 2005 clearly identify the PCT international application to which it was directed. Consequently, the US/DO/EO assigned U.S. serial number

10/522,213 as the national stage of PCT/PCT/FR04/09333. In order to correct the identification of the 10/522,213 as the national stage of PCT/FR03/02257, the petition under 37 CFR 1.182 is required. Per applicants' authorization, the petition fee of \$400 will be charged to his deposit account. The Notification of Acceptance identifying international application **PCT/FR03/09333** mailed on 22 February 2006 will be vacated.

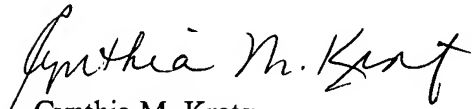
Applicants' petition under 37 CFR 1.182 to correct the error in the Transmittal Letter (Form PTO-1390) submitted on 11 March 2005 and request for corrected filing receipt filed on 27 March 2006 is **GRANTED**. U.S. application no. 10/522,213 is the national stage of **PCT/FR03/02257**.

### CONCLUSION

Applicants' Petition under 37 CFR 1.182 is **GRANTED**. Applicant's request for corrected filing receipt filed on 27 March 2006 is **GRANTED**. The application will be forwarded to the United States Designated/Elected Office for further processing in accord with this decision.

The Notification of Acceptance identifying international application **PCT/FR03/09333** mailed on 22 February 2006 is hereby **VACATED**. A new Notification of Acceptance will be issued.

U.S. application no. **10/522,213** is the national stage of **PCT/FR03/02257**.



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